

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 16th day of May 2006 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member
Jim Brass,	Council Member
Jeff Dredge,	Council Member - Conducted

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Dennis Hamblin	Director Community Development
Michael Williams	Murray Municipal Court Administrator
Judge P. Gary Ferrero	Murray Municipal Court Judge
Karma Bentson	Deputy Director - Finance & Admin.
Crystal Liechly,	Murray Journal
Cathy McKittrick,	Salt Lake Tribune
Murray Citizens	

Mr. Dredge conducted the meeting

A. OPENING CEREMONIES

1. Pledge of Allegiance - Dennis Hamblin
2. Approval of Minutes

Pat Griffiths approved with corrections (name of Mr Lund from Lunt)
Krista Dunn 2nd the motion.

All Ayes

3. Special Recognition(s)

- (a) Boy Scout introductions.
- (b) The Mayor gave special recognition to Judge Ferraro, stating it was long overdue. The Mayor presented The 2006 Service Award given by the Association of the Board of Justices of Justice Courts to Judge P. Gary Ferraro for his outstanding efforts on behalf of Justice Courts in Utah.

Judge Ferraro thanked the Mayor for the award, and noted the importance of the judges in the system and the work and education required, but thanked the Mayor for the support given to continue the education needed, the City Council for their help. Judge Ferraro spoke about the Domestic Violence program he is presenting, and the importance of the program. He also thanked his family for all of their support.

Lastly, he thanked the people of the Justice Courts for all of their commitment and support. Their efforts were appreciated by the Judge, and his staff made the award possible.

Mr. Dredge, on behalf of the Council, thanked the Judge for his commitment, initiative, and determination to get the job done.

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

No citizen comments.

C. CONSENT AGENDA

- 1. Consider confirmation of the Mayors reappointment of Diane Hartford to the Power Advisory Board for a term expiring June 1, 2009.
- 2. Consider confirmation of the Mayors reappointment of Carl Snow to the Power Advisory Board for a term expiring June 1, 2009.
- 3. Consider confirmation of the Mayors reappointment of Richard Stauffer to the Power Advisory Board for a term expiring June 1, 2009.

Mr. Robertson made a motion to affirm the Mayors reappointment of those listed.

Mr. Brass 2nd the motion.

Call Vote recorded by Carol Heales.

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

 Motion passed 5-0

Mr. Dredge noted that those listed were not in attendance, but that the public should know there are many citizens on boards and commissions with the City and their work is appreciated.

D. PUBLIC HEARING(S)

PUBLIC HEARING

6:40 p.m.

**Consider an Ordinance amending
Sections**

**5.04.020, 5.08.010(b)(19), 5.12.010,
17.08.020, 17.44.030(a), 17.76.030, 17.80.020(b),
17.80.030, 17.84.020(b), 17.84.030, 17.88.020(b),
17.92.020(b), 17.96.020(b), 17.100.020(b), 17.104.020(b),
17.104.030, 17.108.020(b), 17.108.030, 17.112.020(b),
17.112.030, 17.114.020(b), 17.114.030, 17.120.030,
17.122.030, 17.124.030, 17.136.030, 17.144.030
of the Murray City Municipal Code Referring to
the Number of Children Allowed in
Residential and Commercial Child Care Facilities,
Group Instruction Facilities and
Adding Definitions Relating to Child Care.**

- a. Staff and sponsor presentations, public comment and discussion prior to Council on the following matter:

Consider an Ordinance Amending Sections 5.04.020, 5.08.010(b)(19), 5.12.010, 17.08.020, 17.44.030(a), 17.76.030, 17.80.020(b), 17.80.030, 17.84.020(b), 17.84.030, 17.88.020(b), 17.92.020(b), 17.96.020(b), 17.100.020(b), 17.104.020(b), 17.104.030, 17.108.020(b), 17.108.030, 17.112.020(b), 17.112.030, 17.114.020(b), 17.114.030, 17.120.030, 17.122.030, 17.124.030, 17.136.030, 17.144.030 of the Murray City Municipal Code

Referring to the Number of Children Allowed in Residential and Commercial Child Care Facilities, Group Instruction Facilities and Adding Definitions Relating to Child Care.

Presenter: Dennis Hamblin, Director of Community Development

Mr. Hamblin noted that the City had been approached by several child care providers who were desirous of increasing the number of children they could have in their homes for child care in residential zoning districts.

Mr. Hamblin explained that in reviewing this request and looking at the State laws previously used; he found there had been changes made to State law. He added that Councilman Robertson had submitted a letter to the Planning Commission requesting that they consider reviewing this matter, and made a recommendation to the Council that these numbers be adjusted upward to allow child care numbers to be increased from 6 to 8 in residential areas.

This was reviewed by the Planning Commission on March 16, 2006, and the Planning Commission sent a positive recommendation to the City Council, on a 5-0 vote.

Mr. Robertson stated that he had been contacted by constituents and in researching the matter found that we were one of the few cities holding the lower numbers. He stated that he had submitted the request.

Mr. Nakamura noted that the State Statutes provide the licensing scheme for child care facilities, and that we track the State laws, the State uses the threshold of 8 in residential child care facilities; beyond that number the State makes a distinction between licensing and certifying a facility. He also stated that they have also reviewed the ordinances and made the terminology consistent with state law; Not only in Zoning, but also in licensing.

Ms. Griffiths noted that she appreciated the efforts following the business license review and the changes that were done at that time. Ms. Griffiths concurs with the above decisions and encouraged their support.

Mr. Dredge called for comments from the Public.

PUBLIC COMMENT

Donna Thomas, State Licensing

Ms. Thomas added her support, recognizing the need for child care providers, and offered to answer questions the public may have regarding state licensing

requirements. She gave her office address as 288 North 1460 W, in the Cannon Building.

Kris Bray, Child Care Resource & Referral Metro

Ms Bray gave her support for this amendment, explaining that the change would assist in meeting the economic needs of the providers while maintaining a good child to provider ratio. Ms. Bray gave an office address of 124 S 400 E #400, Salt Lake City.

Barbara Lozano, Provider

5918 S Main Street, Murray, Utah. Ms. Lozano requested the change to 8 children to help providers with fees and costs.

Ms. Dunn commented that there is a great need for additional day care providers.

PUBLIC HEARING CLOSED

 b. Council consideration of the above matter to follow Public Hearing.

Mr. Robertson made the motion to adopt the amendments to the City Ordinance.

Ms. Griffiths 2nd the motion.

Call vote recorded by Carol Heales.

AYE/NAY

 A Mr. Robertson
 A Mr. Brass
 A Ms. Griffiths
 A Ms. Dunn
 A Mr. Dredge

Motion passed 5-0

E UNFINISHED BUSINESS

None scheduled.

F. NEW BUSINESS

1. Consider an Ordinance authorizing the execution of an agreement for an Electric Utility Franchise and Easement between Murray City Corporation and PacifiCorp.

Staff Presentation: Frank Nakamura, City Attorney
Gary Merrill, General Manager, Power Department

Mr Nakamura acknowledged PacifiCorp's representative, Ms. Alene Bentley. Mr. Nakamura stated that the agreement with PacifiCorp regarding the use of the City's Right-Of-Ways for the transmission distribution lines had expired. The City currently has the opportunity to negotiate a new agreement. The agreement authorizes PacifiCorp to use the City's Right-of-Ways for their transmission distribution lines. The agreement also provides terms for cooperative efforts between PacifiCorp in regards to the maintenance, vegetation, and tree trimming programs.

Mr. Merrill expressed his appreciation to the City Attorney's office for working with the City Power Department. He also expressed his appreciation to PacifiCorp for their friendliness and cooperation during the negotiations.

Mr. Merrill stated that the Power Department had reviewed this agreement and how it reflects on the City's Power Department and its territory of service. It preserves the future option to enter into negotiations to extend its service territory into annexed areas when deemed appropriate. He noted that the old agreement was a 50 year agreement, this new one is a 30 year agreement.

Mr. Nakamura stated for the record that this agreement has a provision that does not bind future City Councils and Mayors in regard to that term, that it is a non-exclusive right, and it is a right the City must grant all other utilities.

Mr. Brass made a motion to adopt the Ordinance authorizing the execution of the agreement for an Electric Utility Franchise and Easement between Murray City Corporation and PacifiCorp.

Ms. Griffiths 2nd the motion.

Call vote recorded by Carol Heales

AYE/NAY

A Mr. Robertson
A Mr. Brass
A Ms. Griffiths
A Ms. Dunn
A Mr. Dredge

Motion passed 5-0

2. Consider a Resolution adopting the tentative Budget, as amended, for the Fiscal Year beginning July 1, 2006 and ending June 30, 2007, and scheduling a Public Hearing to receive Public Comment before the final budget is adopted.

Staff Presentation: Frank Nakamura, City Attorney

Mr. Nakamura stated that under Utah law, the Mayor has presented the Tentative Budget, and it has been reviewed by the Budget and Finance Committee. The Tentative Budget is now available for inspection by the public. A date will be set at this time for the public hearing, which will be scheduled for June 6, 2006.

Mr. Nakamura explained that changes had been made since the Budget and Finance Committee had adopted the intent document. The City will include \$80,000 received from the Homeland Security Department program to expend on emergency fire equipment, and the City will be transferring \$1.2 million from the reserves in the City's Wastewater fund to pay for the relocation and increased capacity of the sewer lines in the Fireclay Redevelopment area.

Ms. Dunn made a motion to adopt the Tentative Budget and set the date for the Public Hearing as stated.

Mr. Brass 2nd the motion

Call vote recorded by Carol Heales

AYE/NAY

A Mr. Dredge
A Mr. Brass
A Ms. Griffiths
A Ms. Dunn
A Mr. Robertson

Motion passed 5-0 .

G. MAYOR

1. Report

✓ The Mayor reported that they are making progress on the overpass, at Cottonwood Street, and the project is expected to be completed in July. The Mayor suggested that a dedication be made at that time. New lighting will also be installed in the area.

2. Questions of the Mayor

None

H. ADJOURNMENT

____ Meeting Adjourned.

____ Recorded by Carol Heales, City Recorder.